UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

KATHERINA ABRAMS on behalf of herself And all others similarly situated

Plaintiff,

ECF CASE 07 CV 7864 (LTS)

-against-

EXCEL ACQUISITIONS, LLC

Defendant.

STIPULATION OF DISCONTINUANCE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel on behalf of their respective clients, (the defendant not having appeared) that pursuant to Rule 41(a)(1), this action shall be, and it hereby is, dismissed and without costs to either party.

Adam J. Fishbein, P.C. (AF-9508)

Attorney At Law

Attorney for the Plaintiff

483 Chestnut Street

Cedarhurst, New York 11516

516-791-4400

SO ORDERED: